



PATENT #11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Millard E. Sweatt et al.
APPLICATION NO.: 09/925,109
FILING DATE: August 8, 2001
TITLE: Method & System for Remote Television Replay Control
EXAMINER: Not Yet Known
GROUP ART UNIT: 2152
ATTY. DKT. NO.: 22407-05391

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.			
Signature:	<i>Laura Majerus</i>		
Typed or Printed Name:	Laura A. Majerus, Reg. No.: 33,417	Dated:	10/30/02
Express Mail Mailing Number (optional):			

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Adjustment date: 04/23/2003 AKELLEY
11/06/2002 AWONDAF1 00000048 09925109
01 FC:1460 -130.00 OP

Repln. Ref: 04/23/2003 AKELLEY 0008160600
DAH:192555 Name/Number:09925109
FC: 9204 \$130.00 CR
SIR:

PETITION UNDER 37 C.F.R. 1.53

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This is a Petition under 37 C.F.R. 1.53 to correct the filing date of the above-referenced utility patent application to reflect the correct filing date of August 8, 2001. Applicants attach as Exhibit A, a copy of the Filing Receipt dated January 18, 2002, indicating an incorrect filing date of August 9, 2001.

A copy of the "Express Mail" mailing label showing the "date-in stamp" is missing from Applicants' files and apparently was not returned to the file when the application was mailed. A copy of the non-dated Express Mail receipt No. EL566298331US is attached as Exhibit B. Accordingly, Applicants submit the USPS Shipping History obtained online at http://trckenfrm1.smi.usps.com/netdata-cgi/db2www/cbd_243.d2w/detail for the corresponding

11/06/2002 AWONDAF1 00000048 09925109

130.00 OP

01 FC:1460

"Express Mail" mailing label to show the date of deposit of the above-referenced application as August 8, 2001. The Shipping History is attached as Exhibit C.

Applicants respectfully request that the filing date be corrected to August 8, 2001.

Respectfully submitted,

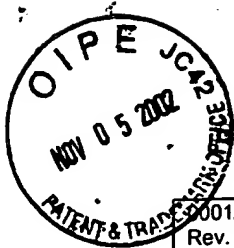
Dated: Oct 30, 2002

By: Laura Majerus
Laura A. Majerus, Reg. No.: 33,417
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (415)875-2332
Fax.: (650) 494-1417

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A

PTO/SB/21 (modified)
Approved for use through xx/xx/xx, OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>	U.S. Department of Commerce Patent and Trademark Office	Application Number	09/925,109
		Filing Date	August 8, 2001
		First Named Inventor	Millard E. Sweatt III
		Group Art Unit Number	2152
		Examiner Name	Not Yet Known
Total Number of Pages in This Submission	10	Attorney Docket Number	22407-05391

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) []
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References	<input checked="" type="checkbox"/> Petition Under 37 C.F.R. 1.53
<input type="checkbox"/> Request for Corrected Filing Receipt	<input checked="" type="checkbox"/> Copy of Filing Receipt (Exhibit A)
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input checked="" type="checkbox"/> Copy of Postcard and Express Mail Receipt (Exhibit A)
<input type="checkbox"/> Amendment/Response: [] Page(s)	<input checked="" type="checkbox"/> Copy of Express Mail (Exhibit B)
<input type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT		
Signature:	<i>Laura Majerus</i>	
Attorney/Reg. No.:	Laura A. Majerus, Reg. No. 33,417	Dated: 10/30/02

CERTIFICATE OF MAILING		
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Typed or Printed Name:	Laura A. Majerus	Dated: 10/30/02
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PTO/SB/17 (10-01)(modified)
OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0062 (modified)
Rev. 10/2001U.S. Department of Commerce
Patent and Trademark Office**FEE TRANSMITTAL****TOTAL AMOUNT OF PAYMENT**Subtotal (1) + Subtotal (2) + Subtotal (3) = **(\$130.00)****Complete if Known**

Application Number	09/925,109
Filing Date	August 8, 2001
First Named Inventor	Millard E. Sweatt III
Group Art Unit	2152
Examiner Name	Not Yet Known
Attorney Docket Number	22407-05391

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OFFICE OF PETITIONS**METHOD OF PAYMENT****1. The Commissioner is hereby authorized to:**

- ☐ Charge the indicated fees to the below mentioned deposit account.
- ☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account.¹
- ☐ Applicant claims small entity status
See 37 CFR 1.27

Deposit Account Number: 19-2555
Deposit Account Name: FENWICK & WEST LLP

A Duplicate Copy of this authorization is attached

2. ☒ Payment Enclosed:☒ Check ☐ Credit Card ☐ Other**FEE CALCULATION (fees effective 10/01/2001)****1. FILING FEE**

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$740	201/\$370	Utility Filing	<input type="text"/>
106/\$330	206/\$165	Design Filing	<input type="text"/>
108/\$740	208/\$370	Reissue	<input type="text"/>
114/\$160	214/\$80	Provisional Filing	<input type="text"/>

SUBTOTAL (1) **(\$).00****2. CLAIMS**

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$84	202/\$42	Independent claims in excess of 3
104/\$280	204/\$140	Multiple dependent claim
109/\$84	209/\$42	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	<input type="text"/>
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	<input type="text"/>
147/\$2,520	147/\$2,520	For filing a request for reexamination	<input type="text"/>
115/\$110	215/\$55	Extension for response within first month [†]	<input type="text"/>
116/\$400	216/\$200	Extension for response within second month [†]	<input type="text"/>
117/\$920	217/\$460	Extension for response within third month [†]	<input type="text"/>
118/\$1,440	218/\$720	Extension for response within fourth month [†]	<input type="text"/>
128/\$1,960	228/\$980	Extension for response within fifth month [†]	<input type="text"/>
119/\$320	219/\$160	Notice of Appeal	<input type="text"/>
141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	<input type="text"/>
142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	<input type="text"/>
143/\$460	243/\$230	Design Issue Fee	<input type="text"/>
122/\$130	122/\$130	Petitions to the Commissioner	130
126/\$180	126/\$180	Submission of Information Disclosure Statement	<input type="text"/>
179/\$740	279/\$370	Request for Continued Examination (RCE)	<input type="text"/>
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	<input type="text"/>
146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>

Other fee (specify): Other fee (specify): **SUBTOTAL (3)** **(\$130.00)**

(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due
For	No. of Existing Claims	minus*	Highest No. Previously Paid For	Extra**	x		
TOTAL		minus*	20 or 0		x		
INDEP		minus*	3 or 0		x		
[] First presentation of multiple dependent claim							

* Subtract the greater number of Col. 2

** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) **(\$).00****SUBMITTED BY**Typed or Printed Name **Laura A. Majerus**

Signature

*Laura Majerus***Complete (if applicable)**Reg. Number **33,417**

Date

10/30/02[†] Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/925,109	08/09/2001 08	2152	2262	22407-05391	34	59	12

00758
FENWICK & WEST LLP
TWO PALO ALTO SQUARE
PALO ALTO, CA 94306

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CONFIRMATION NO. 2738

UPDATED FILING RECEIPT



"OC00000007330546"

Date Mailed: 01/18/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Millard E. Sweatt III, Menlo Park, CA;
Don Woodward, Los Altos, CA;
Chris E. Matchuk, San Jose, CA;
Gurminder Sunner, San Jose, CA;
Alain Regnier, Sunnyvale, CA;
Sunil Mohan, Los Gatos, CA;

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Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/223,856 08/08/2000
AND CLAIMS BENEFIT OF 60/248,313 11/14/2000
AND CLAIMS BENEFIT OF 60/258,937 12/29/2000
AND CLAIMS BENEFIT OF 60/258,940 12/29/2000

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Foreign Applications

If Required, Foreign Filing License Granted 09/12/2001

Projected Publication Date: 05/02/2002

Non-Publication Request: No

Early Publication Request: No

Title

Exhibit A

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Shipment History

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Here is what happened earlier:

- ARRIVAL AT UNIT, August 10, 2001, 4:46am, ZIP Code 20096
- ENROUTE, August 09, 2001, 2:27pm
- ~~ACCEPTANCE, August 08, 2001, 8:00pm, SAN FRANCISCO, CA 94128~~

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Exhibit C